ISSUES ARISING FROM EXAMINER'S RESPONSE TO ARGUMENTS

Claims 1-41 were rejected under 35 USC § 103(a) as being unpatentable over Li (U.S. Pat. 6,012,088, hereinafter "*Li*") in view of Fijolek (U.S. Pat. No. 6,351,773, hereinafter "*Fijolek*").

Applicants pointed out in the previous response that neither *Li* nor *Fijolek* discloses the feature of: **"obtaining, using the secondary signaling technology, a unique link identifier that is associated with the network link using the secondary signaling technology"**. In response, the Examiner "notes that Li teaches two signaling technologies, i.e. a standard analogue telephone line and higher-speed line such as ISDN, see col. 3, lines 46-53. In addition Li teaches that the user enters a local telephone number in col. 11, lines 56-65. The Fijoke reference teaches that the unique identifier can be obtained from a secondary signaling technology, such as from a database."

First, Applicants do not deny that *Li* teaches an Internet access device with two physical interfaces. However, *Li* does not disclose obtaining a unique link identifier associated with one of these two physical interfaces. Indeed, the Examiner has admitted in the Office Action that "obtaining, using the secondary signaling technology, a unique link identifier that is associated with the network link using the secondary signaling technology" is not taught in the *Li* reference.

Second, the telephone number referred to by the Examiner in *Li* is "the local telephone number of a network access server located on the ISP's network," which the user dials to connect with the ISP. (*Li* col. 11 ln. 56-60) This local telephone number is neither obtained with a signaling technology associated with one of the physical interfaces in the *Li* device, nor is it a

unique link identifier. In fact, this local telephone number cannot be a unique link identifier because presumably many Internet access devices can use the same number to access the ISP. Therefore, this citation to *Li* does not at all address the issues raised by the Applicants in the previous response.

Finally, the *Fijolek* reference does not teach obtaining a unique identifier from a secondary signaling technology because that reference only teaches obtaining an identifier from a database. A database is not a signaling technology. While a database stores information, a signaling technology conveys and communicates information. No person of ordinary skill in the art would reasonably interpret "signaling technology" to include databases. Both the claims and the specification of the instant application also clearly disclose that "signaling technology" do not refer to databases. For example, dependent Claim 3 recites, "wherein the secondary signaling technology is integrated services digital network (ISDN) signaling," and dependent Claim 6 recites "wherein the primary signaling technology is asynchronous digital subscriber line (ADSL)". The specification also teaches that "[i]n one approach, the primary signaling technology is ADSL and the secondary signaling technology is ISDN." (para. [0026]) Thus, "signaling technology", as used in independent Claim 1, cannot be interpreted to include databases. Therefore, the Examiner has erroneously interpreted the *Fijolek* reference's teaching of obtaining an identifier from a database as reading on independent Claim 1's feature of "obtaining, using the secondary signaling technology, a unique link identifier" (emphasis added).

In sum, *Li* in view of *Fijolek* does not disclose, teach, or suggest a step of "obtaining, using the secondary signaling technology, a unique link identifier that is associated with the network link using the secondary signaling technology".

THE PENDING CLAIMS ARE PATENTABLE OVER LI IN VIEW OF FIJOLEK

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. MPEP § 2143.

The *Li* and *Fijolek* references do not teach at least the following limitation in independent Claim 1: **"obtaining, using the secondary signaling technology, a unique link identifier that is associated with the network link using the secondary signaling technology"**. As discussed above, athough Li teaches an Internet access device with at least two physical interfaces, nowhere does it disclose obtaining a unique link identifier associated with one of these two physical interfaces.

The combination of *Li* with *Fijolek* also fails to teach the limitation in independent Claim 1 described above. *Fijolek* merely discloses that a network device receiving a connection request from a requesting device may examine a database to see if information about the requesting device, such as a telephone number, is available. However, *Fijolek* does not teach using telephone numbers as authentication IDs. More significantly, *Fijolek* does not teach obtaining a telephone number or any other unique link identifier using a secondary signaling technology. In fact, the telephone numbers mentioned in *Fijolek* are obtained from information already stored on databases. As discussed above, a database cannot be equated with a signaling technology.

Similarly, the combined *Li* and *Fijolek* references also fail to teach at least the following limitations in independent Claims 10, 14, 15, 24, and 33:

in independent Claim 10: "obtaining, using the ISDN line, an ISDN telephone number uniquely associated with the ISDN line";

in independent Claim 14: "obtaining, using the secondary signaling technology, a unique link identifier associated with the network link";

in independent Claim 15: "obtaining, using the secondary signaling technology, a unique link identifier associated with the network link using the secondary signaling technology"

in independent Claim 24: "means for obtaining, using the secondary signaling technology, a unique link identifier associated with the network link using the secondary signaling technology"; and

in independent Claim 33: instructions for "obtaining, using the secondary signaling technology, a unique link identifier associated with the network link using the secondary signaling technology".

Consequently, it is respectfully submitted that, for at least the above reasons, *Li* in view of *Fijolek* does not disclose, teach, or suggest the limitations of Claims 10, 14, 15, 24, and 33. As such, it is respectfully submitted that Claims 10, 14, 15, 24, and 33 are patentable over the cited art and are in condition for allowance.

REMAINING CLAIMS

The pending claims not discussed so far are dependant claims that depend on an independent claim that is discussed above. Because each of the dependant claims includes the limitations of claims upon which they depend, the dependant claims are patentable for at least those reasons the claims upon which the dependant claims depend are patentable. Removal of the rejections with respect to the dependant claims and allowance of the dependant claims is

respectfully requested. In addition, the dependent claims introduce additional limitations that independently render them patentable. Due to the fundamental difference already identified, a separate discussion of those limitations is not included at this time.

CONCLUSION

For the reasons set forth above, it is respectfully submitted that all of the pending claims are now in condition for allowance. Therefore, the issuance of a formal Notice of Allowance is believed next in order, and that action is most earnestly solicited.

The Examiner is respectfully requested to contact the undersigned by telephone if it is believed that such contact would further the examination of the present application.

Please charge any shortages or credit any overages to Deposit Account No. 50-1302.

Respectfully submitted,

Hickman Palermo Truong & Becker LLP

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CERTIFICATE OF TRANSMISSION VIA EFS-WEB

Pursuant to 37 C.F.R. 1.8(a)(1)(ii), I hereby certify that this correspondence is being transmitted to the United States Patent and Trademark Office via the Office electronic filing system in accordance with 37 C.F.R. §§ 1.6(a)(4) and 1.8(a)(1)(i)(C) on the date indicated below and before 9:00 PM Pacific time.

on October 5, 2007 by /YipingRLiao#60301/
Yiping Liao